

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

ATHENEX INC., et al.,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-90295 (DRJ)

(Joint Administration Requested)

**NOTICE OF TELEPHONIC AND VIDEO CONFERENCE  
HEARING ON CERTAIN EMERGENCY MOTIONS**

On May 14, 2023, the above-referenced debtors and debtors in possession (the “Debtors”) commenced these chapter 11 cases.

**PLEASE TAKE NOTICE** that in accordance with the *Procedures for Complex Chapter 11 Cases in the Southern District of Texas* (the “Complex Case Procedures”), a hearing has been set for **May 16, 2023 at 5:00 p.m. (prevailing Central Time)** (the “First Day Hearing”) before Judge Jones of the United States Bankruptcy Court for the Southern District of Texas – Houston Division (the “Court”) to consider the following motions (the “Motions”):

1. Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection to Prepetition Term Loan Secured Parties, (III) Modifying the Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief. [Docket No.8]
2. Debtors’ Emergency Motion for Entry of an Order Authorizing the Debtors to (I) Pay and/or Honor Prepetition Wages, Salaries, Incentive Payments, Employee Benefits, and Other Compensation; (II) Remit Withholding Obligations and Deductions; (III) Maintain Employee Compensation and Benefits Programs and Pay Related Administrative Obligations; and (IV) Have Applicable Banks and Other Financial Institutions Receive, Process, Honor, and Pay Certain Checks Presented for Payment and Honor Certain Fund Transfer Requests. [Docket No. 9]
3. Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing Maintenance of Existing Bank Accounts; (II) Authorizing Continuance of Existing Cash Management System; (III) Granting Waiver of Section 345(B) Deposit

<sup>1</sup> A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://dm.epiq11.com/athenex>. The location of Athenex, Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 1001 Main Street, Suite 600, Buffalo, NY 14203.

Requirements; (IV) Authorizing Continued Performance of Intercompany Transactions and Funding; and (V) Granting Related Relief. [Docket No. 10]

4. Debtors' Emergency Motion for the Entry of an Order (I) Approving the Proposed Adequate Assurance Deposit for Future Utility Services, (II) Prohibiting Utility Providers From Altering, Refusing, or Discontinuing Services, (III) Approving the Proposed Adequate Assurance Procedures for Resolving Adequate Assurance Requests, and (IV) Granting Related Relief. [Docket No. 11]
5. Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Payment of Certain Taxes and Fees and (II) Granting Related Relief. [Docket No. 12]
6. Debtors' Emergency Motion for Entry of Orders (I) Establishing Notification Procedures and Approving Restrictions on (A) Certain Transfers of Interests in Debtors and (B) Certain Worthless Stock Deduction Claims; (II) Establishing Notification Procedures and Approving Restrictions on Certain Transfers of Claims Against Debtors; and (III) Granting Related Relief. [Docket No. 13]
7. Debtors' Emergency Motion for Entry of Order (A) Authorizing the Debtors to Pay Certain Prepetition Claims Related to Shipping and Warehousing Obligations and (B) Granting Related Relief. [Docket No. 14]
8. Debtors' Emergency Motion for Entry of an Order (I) Extending Time to File (A) Schedules of Assets and Liabilities, (B) Schedules of Executory Contracts and Unexpired Leases, (C) Statements of Financial Affairs, and (D) Bankruptcy Rule 2015.3 Reports; and (II) Granting Related Relief. [Docket No. 15]
9. Debtors' Emergency Motion for Entry of an Order (I) Authorizing the Debtors to Redact Certain Personally Identifiable Information, (II) Approving the Form and Manner of Notifying Creditors of the Commencement of the Chapter 11 Cases and Other Information, and (III) Granting Related Relief. [Docket No. 16]

**PLEASE TAKE FURTHER NOTICE** that the **First Day Hearing will be conducted virtually only. No in-person attendance will be permitted.** Audio communication will be by the use of the Court's dial-in facility. You may access the facility at **(832) 917-1510**. Once connected, you will be asked to enter the conference room number. Judge Jones's conference room number is **205691**. Video communication will be by use of the GoToMeeting platform. Connect via the free GoToMeeting application or click the link on Judge Jones's homepage. The meeting code is **"JudgeJones."** Click the settings icon in the upper right corner and enter your name under the personal information setting.

**PLEASE TAKE FURTHER NOTICE** that hearing appearances must be made electronically in advance of the Hearing. To make your appearance, click the “Electronic Appearance” link on Judge Jones’s homepage. Select the case name, complete the required fields, and click “Submit” to complete your appearance. All documents filed in this chapter 11 case are available free of charge by visiting <https://dm.epiq11.com/athenex>. Copies of any pleadings or papers filed with the Court may be obtained by visiting the Court’s website at <https://ecf.txsb.uscourts.gov> in accordance with the procedures and fees set forth therein.

Dated: May 14, 2023

**PACHULSKI STANG ZIEHL & JONES LLP**

/s/ DRAFT

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 14th day of May, 2023, a true and correct copy of the above and foregoing has been served on all parties that are registered to receive electronic transmission through this Court's CM/ECF filing system in these cases.

*/s/ Michael D. Warner*

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Michael D. Warner